

IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR

ORDER

S.B.CRIMINAL MISC. PETITION NO. 589/2006
(Mohan Lal Vs. State of Rajasthan)

Date of Order : 11/10/2006

PRESENT

HON'BLE MR. JUSTICE H.R.PANWAR

Mr. M.L.Bishnoi for the petitioner.
Mr. Ashok Upadhyay, public prosecutor.

BY THE COURT:-

By the instant criminal misc. petition under Section 482 Cr.P.C., the petitioner has challenged the order dated 27.4.2006 passed by Additional Sessions Judge, Nagaur (for short 'the trial court' hereinafter) whereby the application filed by the petitioner seeking interim custody of the vehicle during the pendency of the case punishable under Section 8/15 of the N.D.P.S. Act, was dismissed.

Learned counsel for the petitioner submits that by judgment and order dated 29.6.2006 the trial court acquitted the accused therein of the offence under Section 8/15 of the N.D.P.S. Act. However, the trial court has not passed any order with regard to the disposal of the vehicle Truck bearing No.RJ

07-G-3921 which was alleged to have been used as conveyance for transporting the Poppy Straw. This question cannot be decided under Section 482 Cr.P.C. It is for the trial court to decide the disposal of the vehicle which alleged to have been used as conveyance for transporting the contraband Poppy Straw. It is open for the petitioner to move before the trial court for the same.

The petition is accordingly disposed of.

(H.R.PANWAR),J.

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